



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB3600

Introduced 2/24/2005, by Rep. John A. Fritchey

SYNOPSIS AS INTRODUCED:

New Act

Creates the Alcohol Without Liquid Device Act. Prohibits the purchase, sale, and use of devices that mix alcoholic liquor with oxygen for the purpose of inhalation. Provides that a person who violates the Act commits a petty offense and may be fined up to \$1,000 per occurrence. Provides that the provisions of the Act are severable. Effective immediately.

LRB094 02435 LRD 32435 b

1 AN ACT concerning alcoholic liquor.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Alcohol Without Liquid Device Act.

6 Section 5. Definitions. As used in this Act, the following
7 terms have the meanings indicated:

8 "Alcohol without liquor device" or "AWOL device" means a
9 device that mixes spirits with pure oxygen to produce a cloudy
10 vapor that can be inhaled or snorted.

11 "Alcohol" has the same meaning in Section 1-3.01 of the
12 Liquor Control Act of 1934.

13 "Alcoholic liquor" has the same meaning as in Section
14 1-3.05 of the Liquor Control Act of 1934.

15 "Spirits" has the same meaning as in Section 1-3.02 of the
16 Liquor Control Act of 1934.

17 Section 10. Legislative findings and intent. The
18 General Assembly hereby finds and determines that an AWOL
19 device enables people to "snort" alcoholic liquor through a
20 tube into the nose or mouth, rather than drinking through the
21 mouth.

22 The General Assembly further finds and determines that by
23 bypassing the stomach and the filter of the liver, alcohol
24 vapor is absorbed through blood vessels in the nose or lungs,
25 creating a quicker and more intense effect on the brain.

26 The General Assembly finds that experts have claimed that
27 the practice of inhaling alcohol vapor is linked to brain
28 damage.

29 The General Assembly determines that the popularity of AWOL
30 devices is increasing in the nightclub and bar businesses
31 throughout the country. It is being marketed as a way to get

1 high without the hangover as well as a "dieter's dream" way of
2 drinking since there are no calories derived from inhaling the
3 alcohol.

4 The General Assembly further finds and determines that
5 during the past 2 decades, 5 major studies have estimated the
6 economic costs of alcohol abuse in the United States at
7 approximately \$185,000,000,000 for 1998.

8 The General Assembly further finds that more than 70% of
9 the estimated costs of alcohol abuse for 1998 were attributed
10 to lost productivity (\$134,200,000,000), including losses from
11 alcohol-related illness (\$87,600,000,000), premature death
12 (\$36,500,000,000), and crime (\$10,100,000,000). The remaining
13 estimated costs included health care expenditures
14 (\$26,300,000,000), as well as property and administrative
15 costs of alcohol-related motor vehicle crashes
16 (\$16,700,000,000), and criminal justice system costs of
17 alcohol related crime (\$6,300,000,000).

18 The General Assembly further determines that by the time
19 they reach the eighth grade, nearly 50% of adolescents have had
20 at least one alcoholic drink, and over 20% report having been
21 drunk. Approximately 20% of 8th graders and almost 50% of 12th
22 graders have consumed alcoholic liquor within the past 30 days.
23 Approximately 30% of 12th graders engage in heavy episodic
24 drinking, now popularly termed "binge" drinking, which
25 consists of having at least 5 drinks of alcoholic liquor on one
26 occasion within a 2-week period, and it is estimated that 20%
27 do so on more than one occasion. Apart from being illegal,
28 underage drinking poses a high risk to both the individual and
29 society. The rate of alcohol-related traffic crashes is greater
30 for drivers ages 16 to 20 than for drivers age 21 and older.

31 The General Assembly further finds and determines that
32 underage alcohol use is more likely to kill young people than
33 all other illegal drugs combined.

34 The General Assembly further finds that AWOL devices have
35 been banned in parts of Britain and Australia, but are gaining
36 more popularity in the United States. They are available for

1 sale and distribution through the Internet and dealerships are
2 in the process of being established in Florida, California, and
3 New York.

4 Therefore, the purpose of this Act is to ban the sale,
5 purchase, and use of Alcohol With Out Liquid (AWOL) devices and
6 alcohol vapor devices in Illinois.

7 Section 15. Prohibitions. No person shall purchase, offer
8 for sale, or use an AWOL device or alcohol vapor device within
9 this State. Any person who intentionally violates any provision
10 of this Section 15 commits a petty offense and may be fined up
11 to \$1,000. Each violation of this Section constitutes a
12 separate and distinct offense.

13 Section 97. Severability. The provisions of this Act are
14 severable under Section 1.31 of the Statute on Statutes.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.